

Claims 86-99 were rejected under 35 USC 112, first paragraph, as containing subject matter not described in the specification. Examiner specifically referred to poly(hydroxy alkanoates) as not supported. Applicant has amended the claims to replace the questioned language "polyhydroxy alkanoates" with esters specifically disclosed in the application as derived from hydroxy-carboxylic acids of the specified formula (see page 7, lines 15-26). These esters are further illustrated on page 7, line 21 to page 8, line 6 and on page 8, line 21 to page 9, line 6. A close review of these esters will show that they include hydroxy alkanoates.


Examiner has also referred to the term "barley flour" as not disclosed in the specification. Rejection based on this term is not understood since it does not appear to be present in any claims. The term "barley starch" is found in Claim 38. However, there is clear basis for this term on page 6, four lines below the table and in original Claim 29.

Accordingly it is submitted that the claims as now presented have language including the polyesters derived from hydroxy-carboxylic acids as specified and barley starch which are clearly supported by the specification as described above. Reconsideration and withdrawal of the rejection as made is respectfully requested.

Declaration of the interference as requested in the response submitted on January 30, 1997 is respectfully requested.

Please call Applicants' attorney at (908) 685-5433 if he can be of assistance in expediting this request.

Respectfully submitted,


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